

**UNITED STATE DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

COREY MANUEL,	)	
	)	
Plaintiff,	)	
	)	07 C 6335
v.	)	Honorable
	)	Ronald A. Guzman
SGT. SMITH, et al	)	
	)	
Defendants.	)	

**DEFENDANTS SMITH, MCGUIRE AND SALAZAR'S ANSWER to  
PLAINTIFF'S COMPLAINT**

Defendants, Sgt. Smith, Capt. McGuire, and Superintendent Salazar of the Cook County Department of Corrections, by their attorney, Richard A. Devine, State's Attorney of Cook County, through his Assistant State's Attorney, Daniel J. Fahlgren, in Answer to Plaintiff's Complaint, state as follows.

1. On 8/31/07 I was on the teir of f-1 in divison one at the time after we came from school, we were going down to change our clothes which we do every week.

ANSWER: Defendants are without sufficient information or knowledge to form a belief as to the truth of averments in this paragraph.

2. So while we were in the clothing room at the time the officer work the clothing line was named officer carter #3009 told us if we would like to change our clothes then take the things that we would like to change so most guys were changing including me, so I took off my shirt because I

wanted a new one, so I ask the worker can I have a shirt so he was about to give me on, but officer carter told him to gave the shirt to him, and gave it to another inmate.

ANSWER: Defendants are without sufficient information or knowledge to form a belief as to the truth of averments in this paragraph.

3. So I said "a I wanted that shirt" he then said "who the fuck is you talking to motherfucker, and jump over the counter and pushed me so I told him not to put his hands on me, he then continued to push me until I was in a corner and told me to stay there.

ANSWER: Defendants are without sufficient information or knowledge to form a belief as to the truth of averments in this paragraph.

4. I was trying to leave out so that I could leave the situtation alone but by then serval officers came in and they wouldnt let me leave so I wait,

ANSWER: Defendants are without sufficient information or knowledge to form a belief as to the truth of averments in this paragraph.

5. He then stated every body get the fuck out of here, so everybody left expect a few of us then he said matter of fact bring my workers in here and hurry up and get these people out of here.

ANSWER: Defendants are without sufficient information or knowledge to form a belief as to the truth of averments in this paragraph.

6. So his workers came back in and the rushed the other inmates out, and so I was left in there with all the officers.

ANSWER: Defendants are without sufficient information or knowledge to form a belief as to the truth of averments in this paragraph.

7. So they put on there gloves and things; so officers carter told me to take of my pants that I had on, and stated now who the fuck do you think you is and push me so I told him you not about to treat me like a dog so he said ok then if you don't want this shit what I'm about to give you then get the fuck out like that.

ANSWER: Defendants are without sufficient information or knowledge to form a belief as to the truth of averments in this paragraph.

8. I only had on my boxers, shoes and shirt, The other officers were about to shout the door when he said don't shut shit I want these motherfuckers to come and investagate me.

ANSWER: Defendants are without sufficient information or knowledge to form a belief as to the truth of averments in this paragraph.

9. So he said give this motherfucker a l pants and shirt but I could fit it so I said I can't fit that so he said well get the fuck out so I was about to leave out, but I grab my old uniform and was about to leave but one of the officers grab me which his name was stengal #7830.

ANSWER: Defendants are without sufficient information or knowledge to form a belief as to the truth of averments in this paragraph.

10. I told him to let me go so he did but as I was go out the door I was kick by carter in my behind I tried to get up but all the officers started

attacking me so I was yelling for help and trying to get in the hallway but they wouldn't let me they just kept maliciously beating me so I blank out when I gain conscious I was hand cuff and sergeant smith and captain McGuire was there and ask me what happened but I couldn't explain because I was hurt.

ANSWER: Defendants admit that they asked what happened. Defendants deny the remaining averments in the paragraph.

11. They took me to the dispensary but the person there told them that I would be ok.

ANSWER: Defendants admit the averment in this paragraph.

12. I told them I needed to go to the hospital, but they didn't take me,

ANSWER: Defendants deny the averment in this paragraph.

13. Superintendent Salazar and the chief of the division came and said don't take this ass nowhere, but to the hole, which me and a couple of others where taken.

ANSWER: Defendants deny the averment in this paragraph.

### **AFFIRMATIVE DEFENSES**

Plaintiff, while an inmate, failed to exhaust his administrative remedies through the established detainee grievance process at the Cook County Department of Corrections before filing this action. Therefore this action should be dismissed pursuant to the Prison Litigation Reform Act, 42 U.S.C. § 1997e(a).

**JURY DEMAND**

Defendants demand trial by jury

Respectfully Submitted,

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